

The actions delineated below were taken in open session of the EPSB at the August 15, 2005 regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the EPSB, 100 Airport Road, 3rd Floor, Frankfort, KY 40601.

**Education Professional Standards Board (EPSB)
Summary Minutes of the Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
August 15, 2005**

Members Present:

Jim Applegate
Doris Barlow
Lydia Coffey
Sam Evans
Kristin Gregory
Kent Juett
Steve Lin
Linda Livers
Rita Presley
Steve Schenck (for Gene Wilhoit)
Wilson Stone
Tom Stull
Ellie Thompson
Joe Welch

Members Absent:

Lonnie Anderson
Wally Campbell

Call to Order

Chair Lydia Coffey reconvened the meeting at 9:05 AM EDT.

Amend the Agenda

Motion made by Ms. Linda Livers, seconded by Ms. Ellie Thompson, to amend the meeting agenda, adding a Closed Session pursuant to KRS 61.810 (1)(c) & (j) to discuss proposed or pending litigation.

Vote: Unanimous

Motion made by Mr. Wilson Stone, seconded by Dr. Doris Barlow, to add two waivers: 1) Mr. B. Michael Caudill, Superintendent, Madison County School District, on behalf of Ms. Kathy Holland – 16 KAR 4:010, Section 4, Certification Requirements for Director of Federally Supported Programs; and 2) Ms. Rosemarie Gold, Coordinator, MAT Program, Morehead State University – 16 KAR 6:010, Request for a One-Year Waiver for Morehead State University Option 6 MAT Program Students to Participate in the Kentucky Teacher Internship Program Prior to Completion of the Principles of Learning and Teaching Assessment.

Vote: Unanimous

Approval of Minutes

Motion made by Ms. Livers, seconded by Mr. Stone, to approve the minutes of the June 13, 2005 EPSB meeting.

Vote: Unanimous

Open Speak

No requests were made for Open Speak.

Report of the Executive Director and Staff

Dr. Jim Applegate, Council on Postsecondary Education (CPE) and Mr. Steve Schenck, Kentucky Department of Education (KDE) updated the board on their agency's priorities as they relate to the *Shared Agenda* between the EPSB, CPE, and KDE.

- **CPE Update** – August 23 meeting with Deans focusing on Education Leadership; September 17-18 Annual Trustee Conference; October 24-25 Teacher Quality Summit; CPE website has the Public Agenda for Postsecondary Education; meetings are being held on a Joint Budget Request from CPE, EPSB, and KDE; and attendance at the NASH State K-16 Summer Institute
- **KDE Update** – Five goals: 1) Reforming Secondary Education; 2) Leadership; 3) Literacy; 4) Early Childhood; and 5) Closing the Achievement Gap

Mr. Mark Shelling made a presentation on the *Alternative School Administration Study* in the Jefferson County Public Schools. This Wallace Foundation-funded project has developed a mentoring/coaching replacement program that has demonstrated positive results directly relating to student achievement.

Dr. Phillip Rogers distributed to board members information on Governor Fletcher's Educational Work Group. This group was asked to consider the possible impact of nine ideas for improving student achievement and enhancing the teaching profession. At their first meeting, the Work Group expanded the list of ideas to twelve and rated them in order of priority. The top three priorities are:

- develop high quality professional development programs in content areas that are both available and accessible and link them to certificate renewal and rank change;
- demonstrate the effectiveness of professional development programs by focusing on student achievement and by ensuring student accountability; and
- establish pre-service preparation programs that include alternative programs that train teachers how to better prepare students with interest in high tech areas.

Board members asked Dr. Rogers to invite one person from each of the Work Group's membership representation (superintendents, principals, and teachers) to attend the September EPSB meeting to explain more about the group's work. Dr. Rogers also thought that it would be important for a representative from the EPSB to attend future meetings of the Educational Work Group.

Dr. Rogers also distributed *An Invitation from AEL to Charleston to Collaborate on a Five-Year Research Program to Determine the Effectiveness of KTIP Induction Support Models and Measure the Impact on Student Learning of New Teachers Mentored Under these Models*. The AEL is preparing a proposal for five years of funding from the U.S. Department of Education Sciences whereas they are looking for an opportunity to conduct experimental research on new initiatives that produce higher levels of P-12

student learning. AEL believes that the Kentucky Teacher Internship Program's (KTIP's) Teacher Work Samples are promising intern support models and are innovative inductive programs of national interest and worthy of a substantial amount of research dollars being sought from the U.S. Department of Education. Ms. Cindy Godsey reviewed with board members the revisions to the web page on the Exceptional Work Experience (Option 1). At the July retreat, board members and staff discussed the requirements for submission of applications for this alternative route to certification option. Staff was asked to rework the web page on the requirements for Option 1.

Mr. Robert Brown presented the board with a proclamation from Governor Fletcher honoring the 20th anniversary of KTIP.

Dr. Marilyn Troupe introduced Dr. Cathy Gunn, Dean, Morehead State University and Dr. Kathleen Filkin, Chair, St. Catharine's College.

The following items were distributed to and reviewed by board members:

- *Emergency Non-Certified School Personnel Program Report - 4th Quarter April-June 2005*
- copy of the *Kentucky School Advocate*, July 2005
- copy of the *Kentucky Teacher*

Report of the Chair

Chair Lydia Coffey presented Mr. Tommy Haynes with a plaque of appreciation for his service to the board. Also, Mr. Coffey presented Ms. Sherry Paul with a plaque of appreciation for her service to the board. Ms. Paul will be retiring at the end of August after ten years with the board and 27 years in state government.

Ms. Coffey made the following appointments:

- **Nominating Committee for Chair/Vice Chair** – Ms. Kristin Gregory (Chair), Mr. Joe Welch, Ms. Rita Presley, and Ms. Livers
- **Workgroup to Revise the EPSB Goals and Initiatives** – Mr. Tom Stull, Dr. Sam Evans, Mr. Kent Juett, Mr. Steve Lin, Dr. Barlow, and Ms. Thompson
- **Kentucky Advisory Council for Internship** – Ms. Debra Brown, Model Lab Elementary and Middle Schools; Mr. Sam Dick, Caverna Independent Schools; Ms. Jaesook Gilbert, University of Kentucky; Mr. John A. Fields, Kentucky Department of Education; and Ms. Freda Merriwether, University of Louisville

Closed Session

Motion made by Ms. Thompson, seconded by Ms. Livers, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.701(c)&(j).

Vote: Unanimous

Motion made by Ms. Livers, seconded by Ms. Thompson, to return to open session.

Vote: Unanimous

No action was taken in closed session.

Information Items

Subsequent Changes Made to 16 KAR 7:010, KTIP, Since March 2005 Final Approval

In March 2005, the EPSB approved an amendment to 16 KAR 7:010. In April 2004, a request was made to the United States Department of Education for a one-year extension of the Teacher Quality Enhancement Grant (TQEG). The request was granted in May 2005. In order to take full advantage of the grant extension, additional changes to the KTIP regulation were necessary. The decision to make subsequent changes was primarily related to the need to avoid delaying the regulatory review process so the above amendments could be implemented in a timely manner, as well as provide the regulatory relief necessary to permit new teachers in their regular internship year to participate in the pilot during the 2005-06 school year.

The changes made to 16 KAR 7:010 subsequent to the March approval of the EPSB included:

- Removing the language that identified this as a two-year pilot.
- Removing language that describes activities formerly done only during the first year of the two-year pilot, including stipends paid to interns and resource teachers in the first year of the two-year pilot.
- Including a required training for the committee of the interns who will be participating in the pilot.
- Changing the name of the Pilot Project Intern Performance Record to the Teacher Work Sample (TWS) Guide.
- Revising, clarifying and reducing the number of pages of the TWS Guide, incorporated by reference.

16 KAR 7:020, Principal Intern Program

The Kentucky Principal Internship Program (KPIP) was reinstated effective July 1, 2005. The most recent budget bill removed language that prohibited the use of agency funds for KPIP, thus allowing KPIP to continue. No additional funds were provided by the General Assembly for the reinstitution of KPIP; therefore, funding for this program is being drawn from other sources within the Division of Professional Learning and Assessment. Informational letters have gone out to all school districts, information has been shared at cooperatives and Kentucky Association of School Administrators conference, and training sessions for KPIP committees are being conducted.

Stakeholders have expressed interest in expanding KPIP to include more mentoring, not only for the required year of the internship but also for a subsequent year. A meeting was held in December to gather thoughts and hear research on effective mentoring for principals. In July, another meeting was convened to receive more ideas for principal support. Several questions arose from these meetings and are being further discussed. It is imperative that the EPSB provide support for principals as they strive to be the instructional leaders of their schools while meeting the goals of the No Child Left Behind Act.

Review of Master's Degree for Rank Change and Efficacy for Improving Student Learning

In lieu of individualized student data, initial certification programs have several sound proxy measures that may be referenced to explore program quality (e.g., Praxis, internship, and program admission and exit criteria). Rank change/master's degree programs do not include similar measures. In addition, data reveal that there is a proliferation of teachers with principal and counselor certificates. Anecdotal evidence indicates that many who completed an administrator preparation program only did so to gain the accompanying rank change and have no intention of becoming a principal. Research is clear in that just having a master's does not have a significant affect on student achievement. There is, however, a body of research (albeit it small) that indicates teachers who have completed content focused post graduate work in their content area does result in improved student achievement. As Kentucky schools are charged with reaching proficiency by 2014, rank change/master's degree programs for experienced educators need to provide the rigor and relevancy that will assist all students learn at high levels. Since KDE and KBE are holding the schools accountable, it seems that educator preparation programs also be held accountable for assisting PreK-12 educators improve student achievement.

Following a lengthy discussion, board members agreed that Master's Degree programs must be strengthened including, but not limited to, a higher level of rigor. Staff has compiled a list of questions as a starting point for further discussions. The board asked staff to provide a list of names of individuals to serve on a Task Force to further discuss this issue and bring that list back to the September board meeting for appointment.

Action Items

Accreditation

Lincoln Memorial University (LMU) Status Report

On January 23, 2005, LMU was granted provisional accreditation for the unit and program approval with conditions. The university was required to submit a written report addressing the cited Areas for Improvement in the Board of Examiner's Report. Upon submission, staff reviewed the documents presented and found insufficient evidence on how the university was addressing the cited Areas for Improvement, specifically how the Kentucky standards are being implemented. Staff recommends a joint, focused visit with the state of Tennessee in the Fall 2005 at LMU.

2005-062 *Motion made by Ms. Thompson, seconded by Ms. Gregory, to accept the recommendation from staff to participate in a joint, focused visit with the state of Tennessee in the Fall 2005 at Lincoln Memorial University.*

Vote: Unanimous

Program Approvals

Campbellsville University – English as a Second Language Endorsement, Grades P-12 (Bachelor's Level)

2005-063 *Motion made by Ms. Gregory, seconded by Mr. Lin, to approve the English as a Second Language Endorsement, grades P-12 (bachelor's level) certification program for Campbellsville University.*

Vote: Unanimous

Western Kentucky University – Moderate and Severe Disabilities, Grades P-12 (Bachelor’s Level)

2005-064 *Motion made by Dr. Barlow, seconded by Mr. Stone, to approve the Moderate and Severe Disabilities, grades P-12 (bachelor’s level) certification program for Western Kentucky University.*

Vote: Yes - 10

Recuse - 1 (Dr. Evans)

University of Kentucky – French, Grades P-12 (Master’s Level), German, Grades P-12 (Master’s Level), Latin, Grades P-12 (Master’s Level), Russian, Grades P-12 (Master’s Level), and Spanish, Grades P-12 (Master’s Level)

2005-065 *Motion made by Dr. Evans, seconded by Ms. Livers, to approve the French, Grades P-12 (Master’s Level), German, Grades P-12 (Master’s Level), Latin, Grades P-12 (Master’s Level), Russian, Grades P-12 (Master’s Level), and Spanish, Grades P-12 (Master’s Level) certification programs for the University of Kentucky.*

Vote: Unanimous

Waiver Requests

2005-066 *Motion made by Mr. Stull, seconded by Dr. Evans, to approve the request of Dr. Cathy Gunn, Dean, College of Education, Morehead State University, on behalf of Ms. Marsha Riddell, to waive 16 KAR 5:040, Section 2 (b), Cooperating Teacher Eligibility Requirements.*

Vote: Unanimous

2005-067 *Motion made by Ms. Thompson, seconded by Ms. Gregory, to approve the request of Mr. Thomas Castle to waive 16 KAR 3:050, Sections 3 and 5, Request for Level I Principal Certification with Completion of a Fifth-Year Program.*

Vote: Unanimous

Motion made by Ms. Gregory, seconded by Dr. Barlow, to approve the request of Ms. Kay Coomes to waive 16 KAR 4:040, Section 3(2), Waiver of Six New Graduate Hours for the Reissuance of a Certificate.

Vote: Yes - 0

No - 11 (Dr. Barlow, Dr. Evans, Ms. Gregory, Mr. Juett, Mr. Lin, Ms. Livers,

Ms. Presley, Mr. Stone, Mr. Stull, Ms. Thompson, Mr. Welch)

Motion failed.

NOTE: During the discussion of this request, board members realized that Ms. Coomes was asking for a waiver of the six hours required for renewal; not for an extension allowing her additional time to complete the renewal requirements. After this discussion, the above motion failed and the following motion was made.

- 2005-068** *Motion made by Ms. Gregory, seconded by Dr. Barlow, to approve a waiver of 16 KAR 3:050, for Ms. Kay Coomes, thus extending her certificate through June 30, 2006, allowing her additional time to complete the renewal requirements.*
- Vote: Unanimous
- 2005-069** *Motion made by Dr. Barlow, seconded by Mr. Lin, to approve the request of Ms. Kymberly Rice, to waive 16 KAR 4:060, Section 1 (5)(a), Request for One-Year Extension to Complete Coursework for Level II Principal Certification. Ms. Rice's certificate will be extended through June 30, 2006, allowing her additional time to complete the Level II Principal certification program.*
- Vote: Yes - 10
Recuse - 1 (Dr. Evans)
- 2005-070** *Motion made by Dr. Evans, seconded by Mr. Welch, to deny the request of Mr. Danny Hildebrand, to waive 16 KAR 8:020, Section 1, Requirements for Rank II.*
- Vote: Yes - 10
Recuse - 1 (Ms. Thompson)
- 2005-071** *Motion made by Ms. Thompson, seconded by Dr. Barlow, to deny the request of Mr. Michael Caudill, Superintendent, Madison County Public Schools, on behalf of Ms. Kathy Holland, to waive 16 KAR 4:010, Section 4, Certification Requirements for Director of Federally Supported Programs.*
- Vote: Unanimous
- 2005-072** *Motion made by Dr. Evans, seconded by Mr. Lin, to approve the request of Ms. Rosemarie Gold, Coordinator, MAT Program, Morehead State University, to waive 16 KAR 6:010, Request for a One-Year Waiver for Morehead State University's Option 6 MAT Program Students to Participate in the Kentucky Teacher Internship Program Prior to Completion of the Principles of Learning and Teaching Assessment.*
- Vote: Unanimous

Alternative Route to Certification Applications

- 2005-073** *Motion made by Dr. Barlow, seconded by Ms. Livers, to: 1) approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in Chemistry, grades 8-12; and 2) deny, based on insufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in Biology, grades 8-12, for Mr. Patrick Alexander. The board urges Mr. Alexander to enroll in an alternative route to certification program offered by a college/university to pursue certification in Biology.*
- Vote: Unanimous
- 2005-074** *Motion made by Ms. Thompson, seconded by Ms. Gregory, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in English, grades 8-12, for Mr. David Green.*

Vote: Yes - 10
No - 1 (*Dr. Evans*)

- 2005-075** *Motion made by Ms. Gregory, seconded by Ms. Livers, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in Industrial Education – Carpentry, grades 5-12 and Technology Education, grades 8-12, for Mr. Walter Wilson.*

Vote: Unanimous

- 2005-076** *Motion made by Dr. Barlow, seconded by Ms. Presley, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in Theatre, grades P-12, for Ms. Laverne Waldrop.*

Vote: Yes - 3
No - 5 (*Mr. Stull, Dr. Evans, Mr. Lin, Mr. Wilson, Ms. Thompson*)

Motion failed.

NOTE: The board urges Ms. Waldrop to pursue certification via the Adjunct Instructor, Option 4 alternative route to certification.

- 2005-077** *Motion made by Ms. Livers, seconded by Ms. Gregory, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in Theatre, grades P-12, for Ms. Patrice Lowe.*

Vote: Yes - 10
No - 1 (*Dr. Evans*)

KTIP Appeals

- 2005-078** *Motion made by Ms. Thompson, seconded by Ms. Livers, to nullify, due to procedural errors, the 2004-05 internship for Mr. Robert Hawes. Mr. Hawes is allowed to repeat the internship without penalty.*

Vote: Unanimous

- 2005-079** *Motion made by Mr. Stone, seconded by Ms. Gregory, to nullify, due to procedural errors, the 2004-05 internship for Ms. Amy Matheny. Ms. Matheny is allowed to repeat the internship without penalty.*

Vote: Unanimous

- 2005-080** *Motion made by Dr. Evans, seconded by Ms. Livers, to nullify, due to procedural errors, the 2004-05 internship for Ms. Jan Maloney. Ms. Maloney is allowed to repeat the internship without penalty.*

Vote: Unanimous

2005-081 *Motion made by Mr. Stone, seconded by Ms. Gregory, to accept the recommendation of the KTIP Appeals Committee and uphold the "unsuccessful" finding for Ms. Robin Foster.*

Vote: Unanimous

2005-082 *Motion made by Dr. Evans, seconded by Ms. Thompson, to nullify, due to procedural errors, the 2004-05 internship for Ms. Debbie Valentour. Ms. Valentour is allowed to repeat the internship without penalty.*

Vote: Unanimous

Proposed Salary Alignment Schedule for Leadership Staff

Motion made by Dr. Barlow, seconded by Dr. Evans, to approve the salary alignment schedule for EPSB leadership staff.

During the discussion of this motion, several board members wanted additional information on the current budget, the 2006-08 biennial budget, and how the salary increases would affect those budgets. Subsequently, the following motion was made:

2005-083 *Motion made by Dr. Evans, seconded by Ms. Gregory, to table this item pending additional information from staff on the current budget, the 2006-08 biennial budget, and the effect raising leadership staff salaries will have on same. This item will be brought back at the November meeting.*

Vote: Unanimous

Closed Session

Motion made by Ms. Livers, seconded by Mr. Juett, to go into closed session for the purpose of discussing: 1) personnel in accordance with KRS 61.810 (1)(f) and 2) proposed or pending litigation in accordance with KRS 61.701(c)&(j).

Vote: Unanimous

Motion made by Ms. Livers, seconded by Mr. Stone, to return to open session.

Vote: Unanimous

Executive Director's Evaluation

2005-084 *Motion made by Dr. Evans, seconded by Ms. Thompson, to accept the evaluation of the Executive Director as submitted by the Evaluation Committee. Additionally, the Evaluation Committee wants to schedule a meeting with Dr. Rogers prior to the September 12, 2005 meeting, to develop a Growth Plan.*

Vote: Unanimous

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
August 15, 2005**

The following board members concurred with the actions as listed below with the noted exceptions:

Lydia Coffey, Tom Stull, Steve Lin, Sam Evans, Linda Livers, Doris Barlow, Joe Welch, Kristin Gregory, Wilson Stone, Ellie Thompson, Kent Juett, and Rita Presley.

Attorneys present were Brenda Dinkins Allen and Alicia A. Sneed.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
05-0584	Admonish
05-06108	Admonish
05-0582	Admonish
05-05105	Hear
05-0474	Admonish
05-0597	Admonish
05-0598	Admonish
05-0588	Hear
05-05102	Dismiss
05-05109	Defer
05-0579	Hear
05-0477	Hear
05-0475	Hear
05-0587	Hear
05-0478	Hear
05-0580	Dismiss Without Prejudice
05-0581	Dismiss Without Prejudice
05-0585	Admonish
05-0589	Defer
05-0599	Hear
05-0593	Hear
05-0594	Hear (<i>Ms. Thompson recused</i>)
05-0595	Hear
05-0596	Hear
05-0586	Hear
05-0592	Hear
05-0591	Hear
05-05106	Admonish
05-0590	Hear
05-06112	Hear
05-0473	Hear
05-06110	Hear
05-05100	Hear
05-0363	Hear
05-05101	Defer

05-0583	Hear
05-05103	Hear
05-06109	Dismiss Without Prejudice
00-0116	Dismiss Without Prejudice
04-12163	Dismiss Without Prejudice
05-0243	Hear

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
05-061	Deny
05-089	Approve
05-114	Approve
05-116	Approve
05-105	Approve
05-119	Approve
05-088	Approve
05-103	Approve
05-108	Approve
05-120	Approve
05-121	Approve
05-110	Approve
05-111	Approve
05-124	Approve
05-125	Approve
05-118	Approve
98-0633	Approve
05-117	Approve
05-113	Approve
05-122	Approve
05-123	Approve
02-0677	Approve
05-129	Approve
05-130	Approve
05-132	Approve
05-133	Approve
05-134	Approve
05-135	Approve
05-137	Approve
05-127	Approve
05-126	Approve
05-131	Approve
05-138	Approve
05-128	Approve
05-139	Approve
05-141	Approve
05-143	Approve
05-144	Approve
05-145	Approve

05-148	Approve
05-142	Approve (<i>Dr. Evans dissented</i>)
05-149	Approve
05-150	Approve
05-151	Approve
05-152	Approve
05-153	Approve
04-0565	Defer
05-146	Approve
05-154	Approve
05-155	Approve
05-156	Approve
05-157	Approve
05-159	Approve
05-160	Approve
05-161	Approve
05-163	Approve
05-164	Approve
05-165	Approve
05-166	Approve
05-167	Approve
05-169	Approve
05-170	Approve
05-171	Approve (<i>Dr. Evans dissented</i>)
05-172	Approve

05-173	Approve
05-174	Approve
05-175	Approve
05-029	Approve
05-168	Approve
05-158	Approve
05-176	Approve
05-177	Approve
05-178	Approve
05-179	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
02-08108 (Harold Fenderson)	Accept agreed order suspending Respondent's Endorsement for Elementary School Principal Grades K-8 and Endorsement for Secondary School Principal Grades 7-12 are suspended for a period of two years from the date of this order. Reinstatement of Respondent's principal certifications at the conclusion of the two year suspension period is expressly conditioned upon Respondent providing written evidence to the Board that he has complied with

the following: Respondent shall complete of six hours of professional development/training in the areas of school administration and financial and personnel management, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Upon acceptance of this agreement by the Board, Respondent shall surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Failure to do so shall result in further disciplinary action by the Board. Upon receipt of Respondent's certificate by the EPSB or upon receiving notice that he is no longer in possession of his certificate, the Division of Certification shall issue Respondent a new teaching certificate reflecting the current status.

Vote: Unanimous (*Mr. Welch recused*)

05-040 (David Mackzum)

Accept agreed order in which Respondent agrees he shall not apply for certification until August 1, 2006. The Board agrees that in considering Respondent's application, it may not rely upon any facts or circumstances that are the subject of this Agreed Order as a basis to deny Respondent's application. The issuance of any Kentucky teaching certificate to Respondent, or on his behalf, on or after August 1, 2006 is expressly conditioned upon Respondent providing, at the time of application, in addition to proof of any academic requirements, written evidence to the Board of the following: Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky or Ohio licensed and/or certified chemical

dependency counselor as approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. With his application, Respondent shall supply the Board with a current national and state criminal background check. Any expense for the criminal background check shall be paid by Respondent. Respondent shall supply to the Board letters of recommendation from two of his 2005-2006 school year supervisors which confirm that Respondent is morally and ethically fit to hold a teaching certificate. Failure to meet any of the above conditions will result in Respondent being denied issuance of a Kentucky teaching certificate.

Vote: Unanimous

05-0106 (William McCarthy)

Accept agreed order in which Respondent agrees he shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky for a period of 90 days from the date of acceptance of this Order by the Board. Moreover, no certificate shall be issued on Respondent's behalf for a period of 90 days from the date of acceptance of this order by the Board. Furthermore, Respondent is

admonished for his failure to maintain the dignity and integrity of the profession. An educator should be aware that sending pornographic photographs to other teachers during the school day using the school email system is inappropriate and unprofessional. Because the photographs were sent to teachers on their school email accounts during the school day, they may have been inadvertently viewed by students and other teachers. Photographs of this type are degrading to women and should not be viewed in a school. Sharing these types of photographs in the educational setting hampers an educator's duties to provide students with professional education services in a non-discriminatory manner and to accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities. Any further conduct of this type will not be tolerated by the Board. This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that he has received twelve hours of professional development/training in area of ethics, as approved by the Board, no later than December 31, 2005. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, this Agreed Order shall be deemed null and void and this disciplinary action reinstated.

Vote: Unanimous

Findings of Fact, Conclusions of Law and Recommended Orders

Consideration of the following matters took place with attorney Alicia A. Sneed out of the room.

<u>Case Number</u>	<u>Decision</u>
04-0572 (Peggy Pickett)	Modify the Hearing Officer's Findings of Fact, Conclusions of Law, And Recommended Order which recommended that the EPSB withdraw the August 12, 2004, Letter of Admonition from Peggy Merrill Pickett's permanent file and from the certification database. Order that a letter of admonition be written stating that Pickett failed in her duty to refrain from subjecting students to embarrassment and disparagement.
	Vote: Unanimous
04-0336 (Robert Keathely)	Accept the Hearing Officer's Recommended Order and revoke Keathely's certificate for ten years.
	Vote: Unanimous

04-0795 (Lori Oldham) Accept the Hearing Officer's Recommended Order and permanently revoke Oldham's certificate.

Vote: Unanimous

04-07102 (Beve Smith) Modify the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order. Revoke certificate for three years.

Vote: Unanimous

03-07105 (Patricia Fox) Modify the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order. Suspend for one year with reinstatement or reissuance contingent upon twelve hours of training in acceptable educational modalities for controlling autistic students. Training shall be at Fox's expense.

Vote: Unanimous (*Dr. Barlow recused*)

Motion made by Mr. Wilson, seconded by Mr. Juett, to adjourn meeting.

Vote: Unanimous

The meeting adjourned at 4:45 PM.

**Next Meeting: September 12, 2005
9:00 AM
EPSB Offices
Frankfort, Kentucky**